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12-19-01
CW
5079D1-07-LAV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mary K. Robinson et al.

Examiner: Arthur Corbin

Serial No.: 09/250,834

Group Art Unit: 1761

Filed: February 16, 1999

For: CRUNCHY CHEWING GUM

RESPONSE TO NOTICE OF ABANDONMENT AND
SECOND COPY OF MAILING DATED
OCTOBER 29, 2001

RECEIVED
DEC - 6 2001
TECHNOLOGY CENTER 1700

Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

This Mailing is sent in response to the Notice of Abandonment (copy attached) mailed November 28, 2001. Applicants' agent submits herewith a second copy of the mailing dated October 29, 2001, timely submitted in response to the Office Action mailed May 2, 2001, together with a Petition for Extension of Time in accordance with 37 C.F.R. 1.136(a), for extending time for response to and including November 2, 2001, as deposited in the United States First Class Postal Service on October 29, 2001, as shown by the accompanying signed and dated Certificate of Mailing Pursuant to 37 C.F.R. Section 1.8.

Applicants agent respectfully submits that in view of the timely submission by applicants no abandonment has occurred and the Notice should be withdrawn.

If any questions remain, the resolution of which would be advanced by conference (telephonic or personal) with applicants' agent, the Examiner is invited to contact said agent at the telephone or the fax number noted below.

Respectfully submitted,

By: Linda A Vag

Linda A. Vag

Reg. No.: 32,071

Date: Dec 5, 2001

Telephone No.: (973) 385-4790

Fax No.: (973) 385-3117

Attachments



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-------------------------|---------------------|------------------|
| 09/250,834 | 02/16/1999 | MARY KATHERINE ROBINSON | 5079D1-07-LA | 2533 |

29668 7590 11/28/2001

PFIZER, INC.
201 TABOR ROAD
MORRIS PLAINS, NJ 07950

EXAMINER

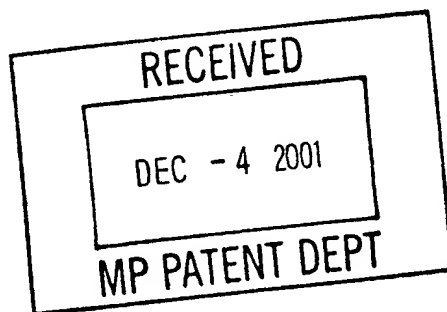
CORBIN, ARTHUR L

ART UNIT PAPER NUMBER

1761

DATE MAILED: 11/28/2001

Please find below and/or attached an Office communication concerning this application or proceeding.





**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARK
Washington, D.C. 20231

| | | | |
|--------------------|-------------|-----------------------|---------------------|
| APPLICATION NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|--------------------|-------------|-----------------------|---------------------|

09/250,834

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| EXAMINER |
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| ART UNIT | PAPER NUMBER |
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DATE MAILED:

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 5-2-01.
- ☐ A reply (with a Certificate of Mailing or Transmission of _____) was received on _____, which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
- ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; or (2) Notice of Appeal).
- ☒ No reply has been received.
- ☐ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
- ☐ The issue fee (with a Certificate of Mailing or Transmission of _____) was received on _____.
- ☐ The submitted issue fee of \$ _____ is insufficient. The issue fee required by 37 CFR 1.18 is \$ _____.
- ☐ The issue fee has not been received.
- ☐ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability (PTOL-37).
- ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of _____) were received on _____.
- ☐ The proposed new formal drawings filed _____ are not acceptable.
- ☐ No proposed new formal drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:


**ARTHUR L. CORBIN
PRIMARY EXAMINER**

AMENDMENT TRANSMITTAL LETTER (Large Entity)Applicant(s): **M. Robinson et al.**

Docket No.

5079-D1-07-LAVSerial No.
09/250,834Filing Date
February 16, 1999Examiner
A. CorbinGroup Art Unit
1761Invention: **CRUNCHY CHEWING GUM****TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST # PREV. PAID FOR | NUMBER EXTRA CLAIMS PRESENT | RATE | ADDITIONAL FEE |
|--|-------------------------------------|-----------------------------|--------------------------------|---------|-------------------|
| TOTAL CLAIMS | 18 - | 20 = | 0 x | \$18.00 | \$0.00 |
| INDEP. CLAIMS | 2 - | 3 = | 0 x | \$84.00 | \$0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | \$0.00 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | \$0.00 |

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **23-0453**
A duplicate copy of this sheet is enclosed.
- ☐ Any additional filing fees required under 37 C.F.R. 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.


SignatureDated: **October 29, 2001****Linda A. Vag
Warner-Lambert Company
201 Tabor Road
Morris Plains, NJ 07950****Telephone: 973-385-4790
Facsimile: 973-385-3117**

I certify that this document and fee is being deposited
on **October 29, 2001** with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.



Signature of Person Mailing Correspondence

Linda A. Vag

Typed or Printed Name of Person Mailing Correspondence

cc: